

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44067 of 2015

Arising out of PS.Case No. -227 Year- 2012 Thana -BANIAPUR District- SARAN

Lal Mohan Singh, Son of Late Binda Singh, resident of Village+P.O.-
Narhapur, P.S.- Marhaura, District- Saran at Chapra.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Jai Kishore Sharma, Advocate.

For the Opposite Party : Mr. Nityanand Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

3 17-12-2015 Heard learned counsel for the petitioner and learned
counsel for the State

The petitioner is languishing in custody since 06.07.2015
in connection with Baniyapur P.S. Case No. 227 of 2012 for the
offences instituted under Sections 457 and 380 of the IPC.

The prosecution story, in brief, is that in the night of
13.09.2012, an unknown thieves committed theft of ornaments and
cash and other articles and on sound of fall of some articles he
woke up and came out of the house and saw the persons fleeing
away with articles of his house. The thieves were chased but they
managed to flee away. It has further been alleged that after some
time one Rashid Mian was apprehended by the villagers but any
how he set himself free. The said Rashid Ansari disclosed that he
with the help of his brother and others have committed theft in the

house of the informant.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 06.07.2015 and the charge sheet has been submitted in the case. There is no allegation of tampering of the evidence against the petitioner. The petitioner is not named in the FIR. His name has come in course of investigation. The petitioner has falsely been implicated in the present case as the petitioner had made certain allegations against the officer-in-charge of the concerned police station. It is further submitted that the petitioner may be released after completion of seven months in custody from 06.07.2015.

On behalf of the State it has been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner above named, be released on bail after completion of seven months in custody from 06.07.2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Saran at Chapra in connection with Baniyapur P.S. Case No. 227 of 2012.

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(Sudhir Singh, J)